2026:AHC:231381

# HIGH COURT OF JUDICATURE AT ALLAHABAD

**CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 11682 of 2026**

Farman

.....Applicant(s)

Versus

State Of U.P., Through Its Home Secretary U.P.
And Another

.....Opposite Party(s)

| | | |
|---|---|---|
| Counsel for Applicant(s) | : | Atul Kumar |
| Counsel for Opposite Party(s) | : | G.A. |

**Court No. - 70**

**HON'BLE RAJIV LOCHAN SHUKLA, J.**

***1.*** Heard, Learned counsel for the applicant, the Learned A.G.A. for the State and perused the record.

***2.*** The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.234 of 2026, under Sections 3/5/8 of the Prevention of Cow Slaughter Act and Section 325 of the BNS, P.S.- Khatauli, District- Muzaffarnagar, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the above-mentioned case.

***3.*** Learned counsel for the applicant has contended that the applicant has been falsely implicated in the present case. The First Information Report was registered for offence under Section 325 of the BNS and Sections 3/11 of the Prevention of Cruelty to Animals Act, 1960, against unknown persons. Remains of some animal were found in a field which led to the registration of the FIR. During the course of investigation, the name of the applicant has surfaced in the statement of the informant. Learned counsel has further contended that till date there is no material to show that the remains that were found were actually those of a cow or its progeny. There is no FSL report to that effect. Learned counsel has further submitted that the applicant has a criminal history of 12 other cases but he is not a previous convict. He states that other than the present case, there are four other cases under the Cow Slaughter Act against the applicant. Most of the cases are cases where the applicant has been implicated due to police action.

***4.*** Learned AGA has opposed the prayer for grant of anticipatory bail and has contended that the applicant being a repeat offender cannot be considered for grant of anticipatory bail. Learned AGA has further submitted that the investigation is still in progress and the applicant may be required for custodial interrogation or recoveries. Learned AGA has relied upon the report of the Chief Veterinary Officer and Deputy Chief Veterinary Officer to contend that on spot inspection, the experts have found the remains in question to be of cow or its progeny. Learned AGA, however, could not point out any FSL report regarding the remains of animal found by the police.

***5.*** I have considered the submissions made by the Learned counsel for the parties and perused the material brought on the record.

***6.*** Other than the statement of a police informer implicating the applicant, there does not appear to be any direct evidence of the applicant's involvement in the crime in question. At this stage, this Court would not go into the sufficiency of the material to conclude whether the remains were that of a cow or its progeny. However, taking note of the explanation given by the applicant of his criminal antecedents where most of the cases registered against the applicant are stated to be cases where the police had implicated the applicant, false implication of the applicant cannot be ruled out.

***7.*** Taking into account all the facts and circumstances of the case and without expressing any opinion on the merits of the case, I deem it fit to enlarge the applicant on anticipatory bail.

***8.*** In view of the above, the anticipatory bail application of the applicant is **allowed**.

***9.*** In the event of the arrest of the applicant **Farman**, he shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing a personal bond and surety each in the like amount to the satisfaction of the Station House Officer of the police station/Court concerned with the following conditions:-

i. the applicant shall make himself available for interrogation by a police officer as and when required;

ii. that the applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as

to dissuade him from disclosing such facts to the Court or to any police officer;

iii. that the applicant shall not leave India without the previous permission of the Court;

iv. that the applicant shall not pressurize/intimidate the prosecution witness;

***10.*** In case of breach of any of the above conditions, the Court concerned shall be at liberty to cancel the bail.

***11.*** It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be considered to be an opinion on the merits of the case.

**(Rajiv Lochan Shukla,J.)**

**November 5, 2026**
Sachin

Digitally signed by :-
SACHIN TIWARI
High Court of Judicature at Allahabad